

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:07CV174
)	
v.)	
)	
VOLKSWAGON BEETLE 2004 VIN)	MEMORANDUM AND ORDER
3VWCK31C64M419875,)	
)	
Defendant.)	
)	

A telephone conference was scheduled with the claimant and counsel for the plaintiff on April 21, 2008. Plaintiff's counsel arranged for an interpreter to be on the telephone, as well, to enable the claimant to participate fully. Despite considerable notice of the conference, see filing 21, the claimant did not answer his telephone for the conference call.

Trial of this matter was originally set for March 25, 2008, but has been informally set for May 8, 2008 as a result of the court's unavailability on March 25. No order to that effect has yet been entered, though, because that was to be a part of the discussion during the conference call on April 21, along with several other final trial preparation and scheduling matters. Claimant's failure to answer his telephone has now thwarted that effort so that the case cannot move forward to trial as currently scheduled.

I shall give the claimant an opportunity to explain himself and his failure to participate in the telephone conference on April 21, 2008. If he fails to adequately do so, he will be found in default, that is, his claim may be denied without a trial.

IT THEREFORE HEREBY IS ORDERED:

1. Claimant Osmar Yubini Palacios is given until April 30, 2008 to show cause, if any there be, why he should not be held in default and his claim denied. Such showing shall be made in writing and filed with the clerk of the court.

2. Trial of this matter is continued until further order of the court.

DATED this 21st day of April, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge